

CASE NO. 30497 -

MOBILE SECURITY FEDERAL CREDIT UNION, (a corp.)

VS.

JOHN L. STINSON )

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

STATE OF ALABAMA )

I, JOHN E. MANDEVILLE, Clerk of the Circuit Court of Mobile County, Alabama, hereby certify that the enclosed is a full, true and correct transcript of the orders, minutes and proceedings had in the above entitled cause and the enclosed papers Number One (1) through Three (3), inclusive are the original pleadings filed in this Court in the above entitled cause.

  
CLERK, CIRCUIT COURT, MOBILE COUNTY, ALABAMA

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA, AT LAW

CASE NO. 30497 - ROBERTSON

\*\*\*\*\*

N.J.

C.H. WYATT, JR.  
1801 9th Avenue South  
Birmingham, Alabama

MOBILE SECURITY FEDERAL CREDIT UNION, (a corp.)

VS.      \$1332.43  
Suit for ~~\$862.93~~ w/interest due by Note  
Atty's fee \$284.78 - Count 1. (WAIVER)  
Count 2 & 3 - \$625.16 due by promissory note  
Atty's fee - \$284.78 (WAIVER)

N.J.

J. CONNOR OWENS, JR.- Atty.      JOHN L. STINSON  
P.O.\*Box 729\*-Bay Minette, \*Alabama\* \* 36507\*

PLEADINGS, PROCESS, ETC,      \* FILING DATE \*

\*\*\*\*\*

- |                                |             |   |
|--------------------------------|-------------|---|
| 1. Complaint & Summons         | * 1 - 5- 70 | * C & S returned January 8, 1970 "Not Found."   |
|                                | *           | * Amended C & S served on John L. Stinson on April 6, 1971.   |
| 2. Amended Complaint & Summons | * 3-26-71   | * May 28, 1971 - Plea in Abatement confessed and sustained and case ordered transferred to the Circuit Court of Baldwin County. |
| 3. Plea in Abatement           | * 4-30-71   | * /s/ Hubert P. Robertson   |
|                                | *           |   |
|                                | *           |   |
|                                | *           |   |
|                                | *           |   |
|                                | *           |   |
|                                | *           |   |
|                                | *           |   |

43-334

**FILED**

JUN 2 1971

EUNICE B. BLACKMON CIRCUIT CLERK

I, JOHN E. MANDEVILLE, in my capacity as Clerk of the Circuit Court of Mobile County, Alabama, hereby certify that the above is a true and correct transcript of all the minutes, orders and other proceedings in the above styled case in this Court.  
In Witness whereof I have hereunto set my hand and attached my Official Seal as such Clerk of said Court at Mobile, Mobile County, Alabama, on this the 1st day of June 1971.

*John E. Mandeville* Clerk

650-0142

ALIAS AMEND

March 23, 1971

MOBILE SECURITY FEDERAL  
CREDIT UNION, (a corp)

Plaintiff

CIRCUIT COURT OF MOBILE COUNTY  
13th JUDICIAL CIRCUIT OF ALABAMA

VS:

JOHN L STINSON

Defendant

CASE NO: 30497

R

Comes now the Plaintiff in the above styled cause by and through its attorney of record, Cole & Wyatt, and amends the complaint filed herein by adding thereto the following:

Plaintiff claims of the defendant the sum of \$ 1332.43 with interest thereon, due by promissory note made by the defendant on to-wit: the 14th day of June 19 66 which said sum with interest thereon is past due and unpaid, and Plaintiff avers that as a part of consideration of said instrument, defendant waived right to exemptions as to personal property, and agreed to pay a reasonable attorney fee for which the plaintiff claims the additional sum of \$ 284.78 Dollars.

COUNT TWO

Plaintiff claims of the defendant \$ 625.16, this amount being the unpaid balance due by a promissory note made by the defendant on, to-wit: 14th day of June 1966 in the face amount of \$ 1090.00 Dollars and payable in monthly installments of \$ \_\_\_\_\_ Dollars, with a provision that in case of any default in payments the entire balance of said note would become immediately due and payable, at the option of the holder, which said unpaid balance became due and payable by virtue of default in an installment payment due on, to-wit, August 7, 1969-.

Plaintiff avers that by the terms of said note, the defendant waived exemption rights as to personal property secured to Mobile Security Federal Credit Union, (a corp) by law, and plaintiff claims the benefit thereof.

Plaintiff further avers that by the terms of said note, the defendant agreed to pay a reasonable attorney's fee in the event said note was placed in the hands of an attorney for collection, and the plaintiff claims the further and additional amount of \$ 284.78 Dollars, which plaintiff avers is a reasonable fee for making said collection.

COUNT THREE

Plaintiff claims of the defendant \$ 625.16, this amount being the unpaid balance due by promissory note made by the defendant on, to-wit, the 14th day of June 19 66 in the face amount of \$ 1090.00 Dollars and payable in monthly installments with a provision that in case of any default in payments the entire balance of said note would become immediately due and payable, at the option of the holder, which said unpaid balance became due and payable on, to-wit, 7th day of August 19 69 by virtue of default in said installment payments, and plaintiff also claims interest thereon from, to-wit, 7th day of July 19 69 at 1 per cent per month on the unpaid balance.

Plaintiff further avers that by the terms of said note, the defendant agreed to pay a reasonable attorney's fee in the event said note was placed in the hands of an attorney for collection, and the plaintiff claims the further and additional amount of \$ 284.78 Dollars, which plaintiff avers is a reasonable fee for making said collection.

COLE & WYATT, ATTORNEYS

BY

C. H. Wyatt Jr.  
Attorneys for Plaintiff  
1801 - 9th Avenue So.  
Birmingham, Alabama 35205  
322-5509

Plaintiff's Address  
Mobile, Alabama

Defendant's Address  
866 Highway 31 North  
Bay Minette, Alabama  
(across street from Hancock Service Station)

STATE OF ALABAMA  
CLERK OF DISTRICT COURT  
JAN 26 8 31 AM '71  
FILED  
CLERK

THE STATE OF ALABAMA  
MOBILE COUNTY

CIRCUIT COURT  
13th JUDICIAL CIRCUIT OF ALABAMA

To any Sheriff of the State of Alabama--Greetings:

You are hereby commanded to summon John L. Stinson to appear before the Circuit Court, to be held for said County, at the place of holding the same, within thirty days from service of this process, then and there to answer the complaint of Mobile Security Federal Credit Union, (a corp).

Witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_, 1969.

Clerk, Circuit Court

C O M P L A I N T

Mobile Security Federal Credit  
Union, (a corp)  
PLAINTIFF

VS.

John L. Stinson  
DEFENDANT

Plaintiff claims of the Defendant the sum of Eight-hundred sixty-two and 93/100--Dollars due by Note made by defendant on to-wit: 14th day of June, 1966, and payable with interest, and Plaintiff avers that as part of said instrument defendant waived his right to exemption as to personal property and agrees to pay a reasonable attorney's fee which he also claims, to-wit: \$284.78. Plus interest of 1% per month.

*C. H. Wyatt Jr.*

Plaintiff's Attorney

Mobile Security Federal Credit Union  
(a corp)  
Brookley Air Force Base  
Mobile, Alabama  
PLAINTIFF

Cole & Wyatt, Attorneys  
1801 9th Avenue South,  
Birmingham, Alabama.

John L. Stinson  
214 Magnolia Street  
Bay Minette, Alabama  
DEFENDANT

STATE OF ALABAMA  
I CERTIFY THIS PLEADING  
WAS FILED ON

JUN 5 8 25 AM '70

*Robert [unclear]*  
Clerk

**THE STATE OF ALABAMA**  
MOBILE COUNTY

**CIRCUIT COURT**

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon

JOHN L. STINSON

to appear within thirty days from service of this process, in the Circuit Court of Mobile County, Alabama,  
at the place of holding the same, then and there to answer the complaint of

MOBILE SECURITY FEDERAL CREDIT UNION, (a corp)

WITNESS: John E. Mandeville, Clerk of said Court, this 26 day of March, 19 71

Attest:

John E. Mandeville  
Clerk

**SHERIFF'S RETURN**

Received \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ and on \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_, I served a copy of

the within \_\_\_\_\_ on \_\_\_\_\_

by service on \_\_\_\_\_

**RAY D. BRIDGES, SHERIFF**

By \_\_\_\_\_ D.S.

11486

No. 30497

JUDGE Robertson DOCKET

CIVIL DIVISION

**CIRCUIT COURT**  
**MOBILE COUNTY**

MOBILE SECURITY FEDERAL CREDIT  
UNION (a corp)

VS. } <sup>SS</sup> AMENDED  
Complaint and Summons

JOHN L. STINSON

Issued 26 day of March, 1971

Defendant's Address  
866 Highway 31 North  
Bay Minette, Alabama  
(across street from Hancock  
Service Station)

C. H. WYATT, JR.

Plaintiff's Attorney

TAYLOR WILKINS, SHERIFF OF BALDWIN  
COUNTY, ALABAMA, CLAIM \$1.00 EACH  
FOR SERVING 1 ACCIDENT AND  
TRAVEL EXPENSE ON EACH OF \$ 0.  
PROCESS(ES) OR A TOTAL OF \$ 1.00

By service on

Received 31 day of March 1971  
and on 6 day of April 1971  
I served a copy of the within  
on John L. Stinson

REC'D SHERIFF DEPT.  
MOBILE COUNTY, ALA.  
MAR 29 3 44 PM '71

TAYLOR WILKINS, Sheriff  
By [Signature] S.

**THE STATE OF ALABAMA**  
MOBILE COUNTY

**CIRCUIT COURT**

To Any Sheriff of the State of Alabama:  
You are hereby commanded to summon  
**JOHN L. STINSON**

to appear within thirty days from service of this process, in the Circuit Court of Mobile County, Alabama,  
at the place of holding the same, then and there to answer the complaint of  
**MOBILE SECURITY FEDERAL CREDIT UNION, (a corp)**

WITNESS: John E. Mandeville, Clerk of said Court, this 5th day of January, 19 70

Attest: John E. Mandeville  
Clerk

**SHERIFF'S RETURN**

Received \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ and on \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_, I served a copy of  
the within \_\_\_\_\_ on \_\_\_\_\_  
by service on \_\_\_\_\_

**RAY D. BRIDGES, SHERIFF**

By \_\_\_\_\_ D.S.



MOBILE SHERIFF DEPT.  
MOBILE COUNTY, ALA.  
JAN 5 3 38 PM '70  
BY \_\_\_\_\_

*Mail*

No. 30497

JUDGE \_\_\_\_\_ DOCKET \_\_\_\_\_

CIVIL DIVISION

**CIRCUIT COURT**  
MOBILE COUNTY

Received 8 day of January 1970  
and on \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
I served a copy of the within SEC  
on John L. Stinson  
By service on \_\_\_\_\_  
TAYLOR WILKINS, Sheriff  
By \_\_\_\_\_ D. S.

Mobile Security Federal Credit  
Union, (a corp)

VS. } Complaint and Summons

John L. Stinson

Return on Copy

Issued 5th day of January, 1970

Defendant's Address

John L. Stinson  
214 Magnolia Street  
Bay Minette, Alabama

G. H. WYATT, JR.

Plaintiff's Attorney

**THE STATE OF ALABAMA**  
MOBILE COUNTY

**CIRCUIT COURT**

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon

JOHN L. STINSON

to appear within thirty days from service of this process, in the Circuit Court of Mobile County, Alabama,  
at the place of holding the same, then and there to answer the complaint of  
MOBILE SECURITY FEDERAL CREDIT UNION, (a corp)

WITNESS: John E. Mandeville, Clerk of said Court, this 5th day of January, 1970

Attest:

*John E. Mandeville*

Clerk

**SHERIFF'S RETURN**

Received \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ and on \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_, I served a copy of  
the within \_\_\_\_\_ on \_\_\_\_\_  
by service on \_\_\_\_\_

RAY D. BRIDGES, SHERIFF

By \_\_\_\_\_ D.S.

No. 30497

JUDGE \_\_\_\_\_ DOCKET \_\_\_\_\_

CIVIL DIVISION

**CIRCUIT COURT**  
MOBILE COUNTY

Mobile Security Federal Credit  
Union, (a corp)

VS. } Complaint and Summons

John L. Stinson

Issued 5th day of January, 19 70

Defendant's Address

John L. Stinson  
214 Magnolia Street  
Bay Minette, Alabama

G. H. WYATT, JR.

Plaintiff's Attorney

**"COPY"**

Received 8 day of January 19 70  
and on \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

I served a copy of the within S&C  
on Stinson John L. Stinson

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By \_\_\_\_\_ D. S.

Returned 8 day of January 19 70  
Not found in my court after diligent search and in-  
quiry.

By Taylor Wilkins, Sheriff  
Deputy Sheriff

*Extra*  
THE STATE OF ALABAMA  
MOBILE COUNTY

CIRCUIT COURT  
13th JUDICIAL CIRCUIT OF ALABAMA

To any Sheriff of the State of Alabama--Greetings:

You are hereby commanded to summon John L. Stinson to appear before the Circuit Court, to be held for said County, at the place of holding the same, within thirty days from service of this process, then and there to answer the complaint of Mobile Security Federal Credit Union, (a corp).

Witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_, 1969.

Clerk, Circuit Court

C O M P L A I N T

#30497

Mobile Security Federal Credit  
Union, (a corp)  
PLAINTIFF

VS.

John L. Stinson  
DEFENDANT

Plaintiff claims of the Defendant the sum of Eight-hundred sixty-two and 93/100--Dollars due by Note made by defendant on to-wit: 14th day of June, 1966, and payable with interest, and Plaintiff avers that as part of said instrument defendant waived his right to exemption as to personal property and agrees to pay a reasonable attorney's fee which he also claims, to-wit: \$284.78. Plus interest of 1% per month.

*C. H. Wyatt Jr.*

Plaintiff's Attorney

Mobile Security Federal Credit Union  
(a corp)  
Brookley Air Force Base  
Mobile, Alabama  
PLAINTIFF

Cole & Wyatt, Attorneys  
1801 9th Avenue South,  
Birmingham, Alabama.

John L. Stinson  
214 Magnolia Street  
Bay Minette, Alabama  
DEFENDANT

MOBILE SECURITY FEDERAL CREDIT )  
UNION, a corporation, )

Plaintiff, )

vs. )

JOHN L. STINSON )

Defendant )

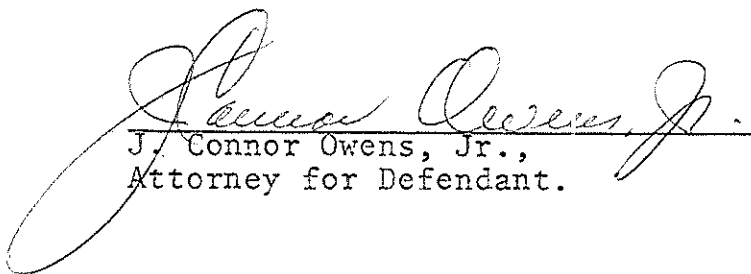
IN THE CIRCUIT COURT OF  
MOBILE COUNTY, ALABAMA

CASE NUMBER 30497-R

PLEA IN ABATEMENT:

Now comes the Defendant, John L. Stinson, and appearing specially for the purpose of filing this Plea in Abatement, and for no other purpose, and says that this case should be abated for that at the time of the filing of this suit, the Defendant herein was a resident of Baldwin County, Alabama; that at the time of the execution of said note sued on in this case, the Defendant was a resident of Baldwin County, Alabama, and has been since said time.


WHEREFORE, the Defendant prays that said summons and complaint in this cause be quashed and the case abated, or in the alternative, that said Court order said action transferred to the Circuit Court of Baldwin County, Alabama.

  
J. Connor Owens, Jr.,  
Attorney for Defendant.

STATE OF ALABAMA

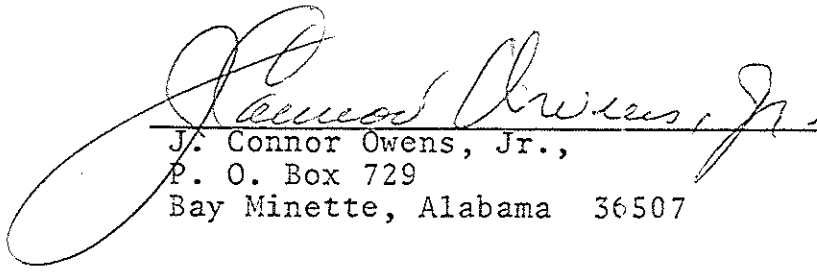
BALDWIN COUNTY

Before me, the undersigned authority within and for said State and County, personally appeared JOHN L. STINSON, who first being duly sworn, deposes and says that he is the Defendant in the foregoing cause and that he is a bona fide resident of Baldwin County, Alabama and was such at the time of the filing of this cause and of the execution of the note and that the facts and matters alleged in the foregoing plea are true and correct.

  
Sworn to and subscribed before  
me this 28th day of April, 1971.


  
Notary Public, Baldwin County, Alabama.

I, the undersigned Attorney of Record for the Defendant in the foregoing cause, do hereby certify that I have caused a copy of the foregoing plea in abatement to be served on Cole & Wyatt, the Attorneys of Record for the Plaintiff in said cause, by placing the same in the United States Mail, properly addressed to them at 1801 9th Avenue, South, Birmingham, Alabama, 35205, with postage prepaid, this 28th day of April, 1971.

  
J. Connor Owens, Jr.,  
P. O. Box 729  
Bay Minette, Alabama 36507

STATE OF ALA. MOBILE CO.  
I CERTIFY THIS PLEADING  
WAS FILED ON

APR 30 8 21 AM '71

  
CLERK

FRIDAY, MAY 28, 1971

MOBILE SECURITY FEDERAL CREDIT	)	PLEA IN ABATEMENT CONFESSED
UNION, a Corp.	)	AND SUSTAINED, AND CASE TRANS-
	)	FERRED TO THE CIRCUIT COURT
ROBERTSON        -vs-        30497	)	OF BALDWIN COUNTY
	)	
JOHN L. STINSON	)	

This day in open Court came the parties by their attorneys, and plaintiff in open Court on this day confessed defendant's Plea in Abatement filed April 30, 1971, to the complaint in this cause;

It is, therefore, ordered and adjudged by the Court that Defendant's said Plea in Abatement filed April 30, 1971, to the complaint in this cause be, and the same is hereby sustained, and case ordered transferred to the Circuit Court of Baldwin County, Alabama.

Minute Book 43

Page 334

STATE OF ALABAMA, }  
COUNTY OF MOBILE }

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

I, JOHN E. MANDEVILLE, Clerk of the Circuit Court of Mobile County, Alabama, do hereby  
certify that the foregoing is a full, true and correct copy of ORDER OF COURT


as rendered by the said Circuit Court on the 28th day of May, 19 71, in the cause  
entitled No. 30497 - MOBILE SECURITY FEDERAL CREDIT UNION, a Corp.

\_\_\_\_\_, Plaintiff,  
— versus — JOHN L. STINSON

Defendant, (~~Together with the cancellation thereof~~), as the same remains of record in this office in  
Minute Book No. 43, Page No. 334

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at office  
in the City of Mobile, Alabama, on this the 1st day of June, 19 71

ATTEST:

  
Clerk, Circuit Court, Mobile County, Alabama.



**CIVIL DIVISION, CIRCUIT COURT, MOBILE COUNTY**

MOBILE SECURITY FEDERAL CREDIT UNION (a corp.)

Plaintiff

No. 30497

**VS.**

JOHN L. STINSON

Defendant

(Act No. 740, Reg. Session Ala. Legislature 1957  
Appvd. Sept. 20, 1957)  
(Amend Sec. 21, Title 11, Code Ala. 1940)

## BILL OF COST

(Act No. 571, Reg. Ses. Leg. 1955)  
(Amend Sec. 34 and 100, Title 11, Code Ala. 1940)

CLERK'S FEES	Pltff.	Deft.	SHERIFF'S FEES	Pltff.	Deft.
Suits for \$100 or less .....\$ 6.00			Serving Summons & Complaint .....\$ 1.50	1 50	
Suits for over \$100 but less than \$1,000 ..... 10.00			Serving Writ of Garnishment ..... 1.50		
Suits for \$1,000 and over ..... 20.00	20 00		Serving Sci Fa.-Notices ..... 1.50		
Suits in detinue, ejectment, etc. .... 10.00			Levying Attachment & Return ..... 6.25		
Suits not otherwise provided ..... 10.00			Executing Writ Possession ..... 5.00		
Writs, Mandamus, Prohibition, etc. .... 15.00			Seizing personal property under Writ of Detinue ..... 6.00		
Appeals from Court General Sessions ..... 15.00			Serving subpoenas, each ..... .75		
Appeals from Probate Court ..... 20.00			Impanelling Jury ..... .75		
Appeals from JP Courts ..... 6.00			Taking & Approving Bond ..... 2.00		
Appeals from State Dept of Pub. Safety, and other State Agencies ..... 10.00			Collecting Costs Execution ..... 1.50		
Workmen's Compensation Settle. .... 10.00			Serving Contempt Writ ..... 1.50		
Garnishment on Judgment ..... 6.00			Making Deed for Property sold ..... 2.50		
Order of Sale, Motions to sell, ..... 6.00			Commission, collecting money on executions, 1st \$200 5%; \$200 to \$500 4%; over \$500 3% \$		
Recording executions from State Agencies ..... 3.00			Total .....\$	1 50	
Cert. Copy of Record - per 100 words ..... .15	80				
Taking Appeal Bond ..... .75			RECAPITULATION		
Record for Supreme Court etc., per 100 words ..... .15			Clerk ..... 20 80		
Add'l Copies of Record for Supreme Court, per 100 words ..... .05			Sheriff ..... 1 50		
Checking - including Reporters Transcript of Evidence ..... 10.00			Inferior Civil Court .....		
Certifying Abstract in lieu of Transcript on Appeal ..... 5.00			Justice Peace fees .....		
Collecting Money on Judgments over 30 days old, % the per- centage allowed Sheriffs ..... \$			Witness fees .....		
			Commissioner's fees .....		
			Certificate of Judgment .....		
			Judgment .....		
			10% Damages .....		
			Interest .....		
			Stenographer's fees (\$10.00 Day) .....		
			Library fee ..... 1.50	1 50	
			Trial Tax (County) ..... 1.50	1 50	
			Trial Tax (State) ..... 1.50	1 50	
			Advertisement .....		
			Garnishee's fees .....		
Total .....\$	20 80			\$26.80	

I respectfully beg to advise that if this bill for costs is not paid before \_\_\_\_\_ 19\_\_\_\_\_, it will be my unpleasant duty to issue execution for same.

JOHN E. MANDEVILLE, Clerk